

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JOHN FULTON, ANTHONY)	
MITCHELL, ANTONIO SHAW,)	
)	Case No. 07 C 5569
Plaintiffs,)	
)	Judge Darrah
v.)	
)	Magistrate Judge Brown
DET. ZALATORIS #20919, DET. L.)	
ROLSTON #20101, J. BREEN #60051,)	Jury Demand
DET. J. STRUCK #20857, DET. R.)	
GIRARDI #20479, and DET. E.)	
WINSTEAD #20119, individually,)	
)	
Defendants.)	

**PLAINTIFF JOHN FULTON AND ANTHONY MITCHELL'S MOTION FOR
VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(b)**

NOW COME the Plaintiffs, John Fulton and Anthony Mitchell by and through their attorneys, Gregory E. Kulis & Associates, Ltd., and in support of their motion, state as follows:

1. On February 14, 2012, the court denied Plaintiff's Motion to Continue the Trial.
2. As the court is aware Plaintiffs, John Fulton and Anthony Mitchell have current convictions for murder out of the underlying arrest of this cause.
3. Both parties are serving sentences for their conviction despite the fact that a Habeas Corpus petition may be filed shortly on their behalf.
4. Based on the above circumstances Plaintiffs, John Fulton and Anthony Mitchell wish to voluntarily dismiss this matter without prejudice pursuant to F.R.C.P. 41(b).

WHEREFORE, the Plaintiffs John Fulton and Anthony Mitchell respectfully request that this Court grant their Motion for Voluntary Dismissal.

Respectfully submitted,

/s/ Gregory E. Kulis
Gregory E. Kulis and Associates

Gregory E. Kulis and Associates, Ltd.
30 North LaSalle Street, Suite 2140
Chicago, Illinois 60602
(312) 580-1830